

### § 315.3

#### **§ 315.3 Disposal of products passed for cooking if not handled according to this part.**

Products passed for cooking if not handled and processed in accordance with the provisions of this part, shall be disposed of in accordance with § 314.1 or § 314.3 of this subchapter.

[35 FR 15577, Oct. 3, 1970. Redesignated at 37 FR 2661, Feb. 4, 1972]

### **PART 316—MARKING PRODUCTS AND THEIR CONTAINERS**

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- 316.12 Marking of equine carcasses and parts thereof.
- 316.13 Marking of outside containers.
- 316.14 Marking tank cars and tank trucks used in transportation of edible products.
- 316.15 Marking outside containers of inedible grease, etc.
- 316.16 Custom prepared products to be marked "Not for Sale."

AUTHORITY: 21 U.S.C. 601-695; 7 CFR 2.17, 2.55.

SOURCE: 35 FR 15577, Oct. 3, 1970, unless otherwise noted.

#### **§ 316.1 Authorization required to make devices bearing official marks.**

No brand manufacturer, printer or other person shall cast, print, lithograph, or otherwise make or cause to be made any device containing any of-

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ficial mark or simulation thereof without prior written authority therefor from the Administrator as provided for in part 317 of this subchapter.

#### **§ 316.2 Approval required for official marks.**

No device containing any official mark shall be made or caused to be made for use on any product until it has been approved by the Administrator as provided for in part 317 of this subchapter.

#### **§ 316.3 Use of official marks prohibited except under supervision of Program employee; removal of official marks, when required.**

(a) No person shall affix or place, or cause to be affixed or placed, the official inspection legend or any other official mark, or any abbreviation or simulation of any official mark, to or on any product, or container thereof, except under the supervision of a Program employee, or as authorized by part 317 of this subchapter in connection with the manufacture of containers.

(b) No person shall fill, or cause to be filled, in whole or in part, with any product, any container bearing or intended to bear any official mark, or any abbreviation or simulation of any official mark, except under the supervision of a Program employee.

(c) Product bearing any official mark shall not be canned, cooked, cured, smoked, salted, packed, rendered, or otherwise prepared by any person for commercial purposes unless:

(1) Such preparation is performed at an official establishment; or

(2) Such preparation is conducted under State or other governmental inspection and the prepared product is marked to show that fact; or

(3) The official marks are removed, defaced, or otherwise destroyed before or during such preparation; or

(4) The preparation of the product consists solely of cutting up operations at any establishment exempted from inspection under paragraph 301(c)(2) of the Act or equal provisions of a law of a State or organized Territory or at any establishment in an unorganized Territory exempted under paragraph 23(b) of the Act.